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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/749,175	12/27/2000	Rohn Bowden	US000203	4958
7590	10/12/2004		EXAMINER	
Richard L Mayer Esq Kenyon & Kenyon One Broadway New York, NY 10004			VU, NGOC YEN T	
			ART UNIT	PAPER NUMBER
			2612	

DATE MAILED: 10/12/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)
	09/749,175	BOWDEN ET AL.
	Examiner	Art Unit
	Ngoc-Yen T. Vu	2612

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

1) Responsive to communication(s) filed on 16 June 2004.  
 2a) This action is **FINAL**.                                    2b) This action is non-final.  
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

4) Claim(s) 1-9 is/are pending in the application.  
 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
 5) Claim(s) 3,4,7 and 8 is/are allowed.  
 6) Claim(s) 1,2,5,6 and 9 is/are rejected.  
 7) Claim(s) \_\_\_\_\_ is/are objected to.  
 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

9) The specification is objected to by the Examiner.  
 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
 a) All    b) Some \* c) None of:  
 1. Certified copies of the priority documents have been received.  
 2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

1) <input type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413)
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(s)/Mail Date. _____
3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____	5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
	6) <input type="checkbox"/> Other: _____

## **DETAILED ACTION**

### ***Response to Amendment***

1. The amendments, filed on 06/16/2004, have been entered and made of record. In view of the Applicant's amendment to claim 5, the rejection of claim 5 under 35 U.S.C. 112, 2<sup>nd</sup> paragraph is hereby withdrawn.

### ***Response to Arguments***

2. Applicant's arguments filed 06/16/2004 have been fully considered but they are not persuasive.

With respect to the Pearl (US #3,993,866) reference, the Applicants argue that nothing in Pearl '866 indicates that the dome (26) is rotatable relative to the camera housing (16). The Examiner respectfully disagrees. As indicated in the last Office action, figure 1 of Pearl shows the dome (26) is attached to the camera housing (16). Figure 2 in Pearl shows that the camera dome (26) is rotatably released relative to the camera housing (16). Since rotation is defined as "motion in which the path of every point in the moving object is a circle or circular arc centered on a specified axis," the examiner contends that the dome (26) is moved in a circular arc when it is released from the camera housing (16). The Applicant may read more into the limitation "the optical surface is rotatable relative to the camera housing after the camera system is positioned," but until more metes and bounds are added to that feature, the Examiner will read the limitation based on its merits as claimed. In view of the above, the Examiner believes that the broadest interpretation of the present claimed invention does in fact read on the cited references for at

least the reasons discussed above and as stated in the detail Office Action as follows. This Office action is now made final.

***Claim Rejections - 35 USC § 103***

3. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

4. Claims 1 and 5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Pearl et al. (US #3,993,866) in view of Jones et al. (US #5,689,304).

Regarding claim 1, Pearl '866 teaches a camera assembly (10) (Figs. 1-2) which comprises a camera housing (16) enclosing a camera system (15) wherein the optical surface (dome 26) is rotatable relative to the camera housing after the camera system is positioned.

Claim 1 differs from Pearl in that the claim further requires the housing having a mounting cap attached to sidewalls to which is attached an optical surface. However, for the purpose of decorating the assembly as well as establishing an air flow path it is well known in the art to provide a mounting cap for a camera surveillance housing assembly, as taught in Jones et al (see Figs. 5-7). In light of the teaching from Jones, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the camera assembly taught in Pearl a mounting cap so as to decorate the camera assembly as well as establishing an air flow path for the assembly.

As to claim 5, Pearl teaches that the dome is a substantially opaque dome with a transparent window, which dome can be rotated to align the camera assembly position with the transparent window (See Figs. 1 & 2, col. 3 line 61 – col. 4 line 7; col. 4 line 45 – col. 5 line 16).

5. Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Pearl et al. (US #3,993,866) in view of Schneider (US #2003/0053806).

Regarding claim 2, Pearl '866 teaches a camera assembly having a housing (16), which comprises an optical dome (26) rotatable relative to the housing (16) (see Figs. 1-2). Claim 2 differs from Pearl in that the claim further requires the use of a circumferential seal attached to a circumferential flange portion of the housing. However, for the purpose of providing an efficient sealing arrangement between different housings in a surveillance camera assembly, it is well known to use a circumferential seal as taught in Schneider (para. 0009, 0024-0027; 0029-0030). In light of the teaching from Schneider, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the camera assembly taught in Pearl a circumferential seal attached to a circumferential flange portion of the housing for the purpose of providing an efficient sealing arrangement between different housings in the camera assembly.

6. Claims 6 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Pearl et al. (US #3,993,866) in view of Schneider (US #2003/0053806), Jones et al. (US #5,689,304) and Ryan et al. (US #6,643,456).

Regarding claim 6, Pearl '866 teaches a camera assembly having a housing (16), which comprises an optical dome (26) rotatable relative to the housing (16) (see Figs. 1-2). Claim 2 differs from Pearl in that the claim further requires the use of a circumferential seal attached to a circumferential flange portion of the housing. However, for the purpose of providing an efficient sealing arrangement between different housings in a surveillance camera assembly, it is well

known to use a circumferential seal as taught in Schneider (para. 0009, 0024-0027; 0029-0030).

In light of the teaching from Schneider, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the camera assembly taught in Pearl a circumferential seal attached to a circumferential flange portion of the housing for the purpose of providing an efficient sealing arrangement between different housings in the camera assembly.

Claim 6 differs from Pearl and Schneider in that the claim further requires the housing having a mounting cap attached to a top wall, and sidewalls to which is attached an optical surface. However, for the purpose of decorating the assembly as well as establishing an air flow path it is well known in the art to provide a mounting cap for a camera surveillance housing assembly, as taught in Jones et al (see Figs. 5-7). In light of the teaching from Jones, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the camera assembly taught in Pearl and Schneider a mounting cap so as to decorate the camera assembly as well as establishing an air flow path for the assembly.

Claim 6 differs from Pearl, Schneider and Jones in that the claim further requires an environmental shroud attached to the camera housing and effective to reflect and/or deflect heat energy, dissipate heat energy not reflected or deflected, and protect the camera housing from the ingress of moisture. However, it is well known in the art to provide an environmental shroud attached to the camera assembly to effectively reflecting and/or deflecting heat energy and dissipating heat energy as taught in Ryan (see abstract). In light of the teaching from Ryan, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the camera assembly taught in Pearl, Schneider and Jones an environmental shroud

attached to the camera assembly to effectively reflecting and/or deflecting heat energy and dissipating heat energy.

As to claim 9, Pearl teaches that the dome is a substantially opaque dome with a transparent window, which dome can be rotated to align the camera assembly position with the transparent window (See Figs. 1 & 2, col. 3 line 61 – col. 4 line 7; col. 4 line 45 – col. 5 line 16).

***Allowable Subject Matter***

7. Claims 3-4 and 7-8 are allowed.

***Conclusion***

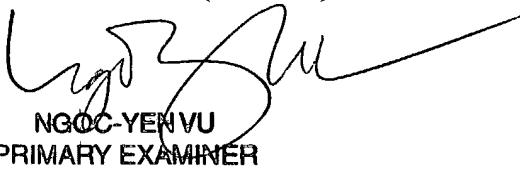
8. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ngoc-Yen T. Vu whose telephone number is 703-305-4946. The examiner can normally be reached on Mon. – Fri. from 8:00 am to 4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wendy R. Garber can be reached on 703-305-4929. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



NGOC-YEN VU  
PRIMARY EXAMINER

Art Unit 2612

NYV  
10/04/2004